



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

TO: BOARD OF SUPERVISORS

FROM: JAY JOHNSON, POLICY AND PROGRAMS DIVISION

DATE: MARCH 10, 2015

SUBJECT: PLANNING COMMISSION ACTION ON THE AMENDMENTS TO TITLE 22 – LAND USE ORDINANCE AND TITLE 23 – COASTAL ZONE LAND USE ORDINANCE (LRP 2014-00007)

The Planning Commission of the County of San Luis Obispo held a public hearing on January 22, 2015 to consider the proposed amendments to Title 22 – the Land Use Ordinance and Title 23 – the Coastal Zone Land Use Ordinance regarding new mini-storage warehouse facilities in the Residential Multi-Family land use category.

After consideration of the amendments, the San Luis Obispo County Planning Commission recommends to the Board of Supervisors of the County of San Luis Obispo, State of California, approval of proposed text amendments to Titles 22 and 23 contained in Exhibits LRP2014-00007:B and LRP2014-00007:C based on the Findings in Exhibit LRP2014-00007:A (attached).

On the motion of Commissioner Meyer, seconded by Commissioner Campbell, and on the following roll call vote, to wit:

AYES: Commissioners Meyer, Campbell, Harrison, Irving and Chairperson Topping.

NOES: None

ABSENT: None

EXHIBIT LRP2014-00007:A

Findings

1. The proposed amendments are consistent with the Land Use Element and other adopted elements of the general plan because they will help lessen competition for land in the Residential Multi-family land use category that can be used for the construction of housing, consistent with a) Housing Element objectives to facilitate the development of new housing units and b) Land Use Element principles and policies, including the provision of multi-family housing near shopping, services and transit.
2. Under the proposed amendments, mini-storage warehouse facilities will remain allowable in the Commercial Service, Industrial and Public Facilities land use categories.
3. Under the proposed amendment, mini-storage warehouse facilities would be allowable in the Residential Multi-family land use category under certain circumstances.
4. Under the proposed amendments, multi-family projects will not be precluded from including on-site storage space for residents as an accessory use.
5. This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]

EXHIBIT LRP2014-00007:B
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SAN LUIS OBISPO COUNTY LAND USE ORDINANCE,
TITLE 22 OF THE COUNTY CODE, RELATIVE TO MINI-STORAGE WAREHOUSE
FACILITIES IN THE RESIDENTIAL MULTI-FAMILY LAND USE CATEGORY

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 22.30.640, Warehousing, of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

22.30.640 - Warehousing

The standards of this Section apply to warehouse uses in the Residential Multi-Family land use category.

A. Limitation on use. Warehousing shall be limited to mini-storage facilities.

B. Permit Requirement. Minor Use Permit approval is required for mini-storage facilities in the Residential Multi-Family land use category, except where a Conditional Use Permit is otherwise required by this Title.

~~B.~~ **1. Required findings.** ~~Prior to the approval of a warehouse use, the Review Authority shall first find that~~ A land use permit may be approved only where the Review Authority makes the following findings in addition to those required by Section 22.62.060.C.4:

a. The proposed storage facilities are designed primarily to serve the needs of residents in the same land use category.

b. That residential development is entirely precluded on the site due to:

- (1) Land use conflicts with existing land uses adjacent to the site, or
- (2) Agricultural buffers required by the provisions of the Agriculture Element of the General Plan, or
- (3) Limitations on urban services, including but not limited to water or wastewater service, where the service provider cannot, within the foreseeable future, serve residential development. (This finding does not preclude the applicant from obtaining any required approvals for necessary urban services for the proposed mini-storage facility.)

~~C.~~ **2. Development standards.** Warehouse facilities are subject to the same site design and site development standards in Article 3 as multi-family dwellings, except residential density.

SECTION 2: This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on

the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]

SECTION 3: If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 4: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of San Luis Obispo, State of California.

SECTION 5: In accordance with Government Code Section 25131, after reading of the title of the ordinance, further reading of the ordinance in full is waived.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 20_____, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

Chairperson of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo, State of California

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

RITA L. NEAL
County Counsel

By: _____
Deputy County Counsel

Dated: _____

EXHIBIT LRP2014-00007:C
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SAN LUIS OBISPO COUNTY COASTAL ZONE LAND USE ORDINANCE , TITLE 23 OF THE COUNTY CODE, RELATIVE TO MINI-STORAGE WAREHOUSE FACILITIES IN THE RESIDENTIAL MULTI-FAMILY LAND USE CATEGORY

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 23.08.402, Warehousing, of the Coastal Zone Land Use Ordinance, Title 23 of the San Luis Obispo County Code, is hereby amended to read as follows:

23.08.402 - Warehousing: The standards of this section apply to warehouse uses in the Agriculture, Rural Lands and Residential Multi-Family land use categories.

a. Limitation on use.

(1) **Agriculture and Rural Lands.** Warehousing uses in the Agriculture and Rural Lands categories are is limited to storage facilities that support approved agricultural production or processing operations conducted on the same site.

(2) **Residential Multi-Family.** Warehousing in the Residential Multi-Family land use category is limited to mini-storage facilities.

b. Permit requirement – Residential Multi-Family category. Minor Use Permit approval ~~when located in the Residential Multi-Family category, provided that the applicable review authority first find that~~ is required for mini-storage facilities in the Residential Multi-Family land use category, except where a Development Plan is otherwise required by this Title.

c. Required findings – Residential Multi-Family category. A land use permit may be approved only where the Review Authority makes the following findings in addition to those required by Section 23.02.034c:

(1) The proposed storage facilities are designed primarily to serve the needs of apartment residents in the same land use category.

(2) That residential development is entirely precluded on the site due to:

(i) Land use conflicts with existing land uses adjacent to the site, or

(ii) Agricultural buffers required by the provisions of the Agriculture Element of the General Plan, or

(iii) Limitations on urban services, including but not limited to water or wastewater service, where the service provider cannot, within the foreseeable future, serve residential development. (This finding does not preclude the applicant from obtaining any required approvals for necessary urban services for the proposed mini-storage facility.)

ed. Development standards – Residential Multi-Family category. Warehouse facilities in the Residential Multi-Family land use category are subject to the same site design and site development standards in Chapters 23.04 and 23.05 of this Title as Multi-Family Dwellings.

SECTION 2: This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption]

SECTION 3: If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 4: The Local Coastal Program is intended to be carried out in a manner fully in conformity with the Coastal Act.

SECTION 5: This amendment shall become operative automatically, pursuant to 14 California Code of Regulations Section 13551(b)(1), upon the certification without any modifications to said amendments by the California Coastal Commission and upon acknowledgement by the San Luis Obispo County Board of Supervisors of receipt of the Commission's resolution of certification pursuant to 14 California Code of Regulations Section 13544. In the event that the California Coastal Commission recommends modifications to said amendments, the amendments with modification shall be processed in accordance with Government Code Section 65350 et seq., before final local government adoption of the amendments with modifications suggested by the Coastal Commission pursuant to 14 California Code of Regulations Section 13551(b)(2), or before the Board of Supervisors resubmits, pursuant to Public Resources Code Sections 30512 and 30513, any additional amendments to satisfy the Commission's recommended changes.

SECTION 6: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance by the San Luis Obispo County Board of Supervisors, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

SECTION 7: In accordance with Government Code Section 25131, after reading of the title of the ordinance, further reading of the ordinance in full is waived.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 20_____, by the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAINING:

Chairperson of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo, State of California

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED
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RITA L. NEAL
County Counsel

By: _____
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Dated: _____